

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ADAM PLAGENS,

Plaintiff,

v.

Case No. 06-12214
Hon. Sean F. Cox

SOURCE ONE MORTGAGE
CORPORATION, et al.

Defendants.

ORDER

This matter is before the Court *sua sponte*, based on the clerk's erroneous entry of default. On June 23, 2007, Plaintiff filed a Third Party Complaint against Third Party Defendant Reginald Ellsworth. On July 31, 2007, Third Party Defendant Reginald Ellsworth filed an Answer, including affirmative defenses and counterclaims. However, the Answer was improperly labeled on the docket as a response to a motion.

Pursuant to Plaintiff's request, a clerk's entry of default was entered on November 6, 2007 against Third Party Defendant Reginald Ellsworth. Because Ellsworth filed an Answer, default should not have been entered. Accordingly, it is hereby set aside.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: November 7, 2007

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ADAM PLAGENS,

Plaintiff,

v.

Case No. 06-12214
Hon. Sean F. Cox

SOURCE ONE MORTGAGE
CORPORATION, et al.

Defendants.

PROOF OF SERVICE

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 7, 2007, by electronic and/or ordinary mail.

S/Jennifer Hernandez
Case Manager